United Nations A/64/435

General Assembly

Distr.: General
1 December 2009

Original: English

Sixty-fourth session
Agenda item 65

Promotion and protection of the rights of children

Report of the Third Committee

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I. Introduction

1. At its 2nd plenary meeting, on 18 September 2009, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-fourth session the item entitled:

"Promotion and protection of the rights of children:

"(a) Promotion and protection of the rights of children;

"(b) Follow-up to the outcome of the special session on children"

and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item at its 13th to 17th, 34th, 45th and 47th meetings, from 14 to 16 and on 29 October and 20 and 24 November 2009, and took up proposals relating to the item at its 34th, 45th and 47th meetings, on 29 October and 20 and 24 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/64/SR.13-17, 34, 45 and 47).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the girl child (A/64/315);

(b) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/64/172);

(c) Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/64/254);

(d) Note by the Secretariat on the appointment of the Special Representative of the Secretary-General on Violence against Children (A/64/182-E/2009/110);

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(e) Report of the Secretary-General on the follow-up to the special session of the General Assembly on children (A/64/285).

4. At its 13th meeting, on 14 October, the Committee heard introductory statements by the Special Representative of the Secretary-General for Children and Armed Conflict, the Deputy Executive Director of the United Nations Children's Fund (UNICEF), the Special Representative of the Secretary-General on Violence against Children and the Deputy Director of the New York office of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (see A/C.3/64/SR.13).

5. At the same meeting, the presenters responded to questions raised and comments made by the representatives of Sweden (on behalf of the European Union), Chile, Iraq, Norway, Iran (Islamic Republic of), Egypt, Uruguay, Australia, the United States of America, India, the Syrian Arab Republic, Côte d'Ivoire, Israel, Malaysia and Cameroon, as well as by the observer for Palestine (see A/C.3/64/SR.13).

6. Also at the same meeting, a statement was made by the Chairperson of the Committee on the Rights of the Child, in accordance with General Assembly resolution 63/241 (see A/C.3/64/SR.13).

II. Consideration of proposals

A. Draft resolution A/C.3/64/L.20 and Rev.1

7. At the 34th meeting, on 29 October, the representative of Namibia, on behalf of Chile, Guatemala, Namibia and the States Members of the United Nations that are members of the Southern African Development Community (SADC), introduced a draft resolution entitled "The girl child" (A/C.3/64/L.20) which read as follows:

"*The General Assembly*,

"*Recalling* its resolution 62/140 of 18 December 2007 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

"*Reaffirming* the equal rights of women and men as enshrined in the Charter of the United Nations,

"*Recalling* all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto,

"*Welcoming* the entry into force of the Convention on the Rights of Persons with Disabilities and its specific attention to the fact that women and girls with disabilities are subject to multiple discrimination,

"*Reaffirming* the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,

"*Reaffirming also* the outcome document of the twenty-seventh special session of the General Assembly on children, entitled 'A world fit for children', the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled 'Global Crisis — Global Action', and the Political Declaration on HIV/AIDS of 2006,

"*Reaffirming further* all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century', the Programme of Action of the International Conference on Population and Development, the Programme of Action of the World Summit for Social Development and the declaration adopted by the Commission on the Status of Women at its forty-ninth session in 2005, as well as the outcome of the fifty-first session of the Commission on the Status of Women, which considered 'the elimination of all forms of discrimination and violence against the girl child' as its priority theme,

"*Looking forward* to the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action, which will be undertaken in 2010 by the Commission on the Status of Women at its fifty-fourth session,

"*Reaffirming* the Dakar Framework for Action, adopted at the World Education Forum in 2000,

"*Welcoming* the appointment of the Special Representative of the Secretary-General on violence against children and the launch of the Secretary-General's campaign 'UNiTE to End Violence against Women, 2008-2015',

"*Recognizing* that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the global financial and economic crisis and the food and energy crises is felt directly by households and in particular by women and girls,

"*Reaffirming* the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

"*Recognizing* that significant progress has been made in the passage of national legislation affirming the equality of girls and boys and women and men, but noting that a gap exists between commitment and practice,

"*Recognizing also* that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, boys and men, as well as the wider community,

"*Deeply concerned* about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education and a lower quality thereof, and to nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, early marriage, forced marriage, prenatal sex selection and female genital mutilation,

"*Deeply concerned also* that female genital mutilation is an irreparable, irreversible harmful practice that affects more than 130 million women and girls alive today, and that each year over three million girls are at risk of undergoing the harmful procedure,

"*Deeply concerned further* that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted diseases, including HIV/AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

"*Emphasizing* that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

"*Concerned* by the increasing number of child-headed households, in particular those headed by orphan girls, including those orphaned by the HIV/AIDS pandemic,

"*Deeply concerned* that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

"*Convinced* that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

"*Deeply concerned* that early marriage and early motherhood can severely curtail educational and employment opportunities for young women and are likely to have a long-term, adverse impact on the quality of their lives and the lives of their children,

"*Noting with concern* that in some areas of the world, men outnumber women and that this discrepancy is attributable to, among other things, harmful attitudes and practices, such as early marriage, including child marriage, and other practices related to health and well-being, resulting in fewer girls than boys surviving into adulthood,

"1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing, ratifying or acceding to the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto as a matter of priority;

"2. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization to consider doing so;

"3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum, in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All goals and the United Nations Millennium Development Goals, particularly those related to gender and education;

"4. *Calls upon* all States, through enhanced emphasis on the education of the girl child, to impart and develop the necessary skills to enable them eventually to be employed, especially by taking steps to overcome male and female stereotypes and by promoting positive role models;

"5. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

"6. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

"7. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives, and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration and Platform for Action;

"8. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action, where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

"9. *Urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

"10. *Also urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

"11. *Further urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

"12. *Urges* States, in cooperation with non-governmental organizations, the mass media, the private sector and relevant international organizations, including United Nations bodies, as appropriate, to develop policies and programmes, giving priority to both formal and informal educational programmes, that support and enable women to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being, placing special focus on programmes for both men and women that emphasize the elimination of harmful attitudes and practices, including early and forced marriage, including child marriage;

"13. *Calls upon* States to take appropriate measures to address the root factors, including external factors, that encourage early and forced marriage, by strengthening existing legislation with a view to better protecting the rights of girls and to punishing the perpetrators, through both criminal and civil measures;

"14. *Urges* all States to enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary, and to develop and implement comprehensive policies, plans of action and programmes that should form an integral part of the total development process and be focused on the survival, protection, development and advancement of the girl child to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls;

"15. *Calls upon* States with the support of international and non-governmental organizations to generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

"16. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour and early and forced marriage, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

"17. *Also urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, of the Secretary-General in his in-depth study on all forms of violence against women and of the independent expert in his study on violence against children;

"18. *Further urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

"19. *Urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

"20. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV, and children who are incarcerated who live without parental support, and therefore urges States,

with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

"21. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

"22. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted diseases, HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

"23. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

"24. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;

"25. *Calls upon* Member States to eliminate and prosecute all forms of trafficking in girls, including for sexual and economic exploitation, as part of a comprehensive strategy to eliminate all forms of violence against the girl child;

"26. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia,

through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

"27. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

"28. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

"29. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV/AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with and affected by HIV, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly actions towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

"30. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

"31. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV/AIDS and other communicable diseases;

"32. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV infection and early pregnancy and to enjoy the highest

attainable standard of physical and mental health, including sexual and reproductive health;

"33. *Stresses* the need to enhance the accountability of the international community, including at the highest levels of decision-making, in the process of mainstreaming the promotion and protection of the rights of the girl child into the development agenda;

"34. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes and sensitization workshops on the dire consequences of this harmful practice for the health of the girl and to provide for those who perform the harmful procedure training programmes so that they may adopt an alternative profession;

"35. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

"36. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the Millennium Declaration, are realized within their time framework, and reaffirming that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

"37. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, with an emphasis on ending early and forced marriage, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child."

8. At its 47th meeting, on 24 November, the Committee had before it a revised draft resolution entitled "The girl child" (A/C.3/64/L.20/Rev.1), submitted by the sponsor of A/C.3/64/L.20 as well as Armenia, Belarus, Cameroon, Cape Verde, Chile, the Congo, Côte d'Ivoire, Ecuador, Ethiopia, Guatemala, Honduras, Kenya, Kyrgyzstan, Mongolia, Nigeria, Panama, Paraguay, the Republic of Korea, Rwanda, Senegal, Sierra Leone, Timor-Leste and Uzbekistan.

9. At the same meeting, the representative of Namibia orally revised operative paragraph 19, deleting the words "and child and" after the words "forced labour", and adding the words "as well as marriage under legal age" after the words "forced marriage".

10. Subsequently, Albania, Andorra, Antigua and Barbuda, Australia, Azerbaijan, Barbados, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Colombia, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Estonia, Finland, the Gambia, Georgia, Germany, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Iceland, Israel, Jamaica, Latvia, Liberia, Liechtenstein, Lithuania, Malta, Mexico, Monaco, Montenegro, Nicaragua, Peru, the Philippines, Poland, the Republic of Moldova, San Marino, Serbia, Slovenia, Suriname, Sweden, the former Yugoslav Republic of Macedonia and Turkey joined in sponsoring the orally revised draft resolution.

11. The Committee adopted draft resolution A/C.3/64/L.20/Rev.1, as orally revised (see para. 19, draft resolution I).

B. Draft resolution A/C.3/64/L.21 and Rev.1

12. At the 34th meeting, on 29 October, the representative of Sweden, on behalf of Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, the Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "The rights of the child" (A/C.3/64/L.21), which read as follows:

"*The General Assembly*,

"*Reaffirming* all its previous resolutions on the rights of the child, the most recent of which is resolution 63/241 of 24 December 2008, in their entirety,

"*Emphasizing* that the Convention on the Rights of the Child must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention, as well as other human rights instruments,

"*Reaffirming* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

"*Reaffirming also* the Vienna Declaration and Programme of Action, the United Nations Millennium Declaration and the outcome document of the

twenty-seventh special session of the General Assembly on children, entitled 'A world fit for children', and recalling the Copenhagen Declaration on Social Development and the Programme of Action, the Dakar Framework for Action adopted at the World Education Forum, the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Right to Development and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,

"*Taking note with appreciation* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 63/241, as well as the report of the Special Representative of the Secretary-General for Children and Armed Conflict, whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note of the report of the Secretary-General on children and armed conflict,

"*Acknowledging* the important role played by national governmental structures for children, including, where existing, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

"*Taking note with appreciation* of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

"*Profoundly concerned* that the situation of children in many parts of the world has been negatively affected by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond socio-economic context,

"I. Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

"1. *Commemorates* the twentieth anniversary of the adoption of the Convention on the Rights of the Child and the fiftieth anniversary of the adoption of the Declaration of the Rights of the Child, which provided a foundation for the Convention, and takes this opportunity to call for the effective implementation of the Convention by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

"2. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241, and urges States that have not yet done so to become parties to the Convention on the

Rights of the Child and the Optional Protocols thereto as a matter of priority and to implement them fully;

"3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;

"4. *Encourages* States parties to take duly into account, in implementing the provisions of the Convention and the Optional Protocols thereto, the recommendations, observations and general comments of the Committee on the Rights of the Child, including general comment No. 12 (2009), on the right of the child to be heard;

"5. *Welcomes* actions of the Committee on the Rights of the Child to follow up and monitor the implementation of its concluding observations and recommendations by the States parties, and, in this regard, particularly underlines the regional workshops and the participation of the Committee in national-level initiatives;

"6. *Recalls* Human Rights Council resolution 10/14 of 26 March 2009, entitled 'Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto';

"II. Promotion and protection of the rights of the child and non-discrimination against children

"Non-discrimination

"7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

"Registration, family relations and adoption or other forms of alternative care

"8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in the cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

"9. *Welcomes* the accomplishment of the United Nations Guidelines for the Alternative Care of Children and the decision of the Human Rights Council, by its resolution 11/7 of 17 June 2009, to submit them to the General Assembly for action thereon;

"Economic and social well-being of children, eradication of poverty, right to education, enjoyment of the highest attainable standard of physical and mental health and right to food

"10. *Reaffirms* paragraphs 17 to 26 of General Assembly resolution 63/241, paragraphs 42 to 52 of Assembly resolution 61/146, and paragraphs 37 to 42 of Assembly resolution 60/231, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments in the field of poverty eradication, the right to education, the right to the enjoyment of the highest attainable standard of physical and mental health and the right to food for all;

"11. *Recognizes* the threat to the achievement of internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to this crisis, any impact on the full enjoyment of the rights of children;

"Elimination of violence against children

"12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of resolution 63/241;

"13. *Welcomes* the appointment of the Special Representative of the Secretary-General on Violence against Children, and encourages all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to continue to widely disseminate and follow up on the United Nations study on violence against children by the independent expert appointed by the Secretary-General and to cooperate with and provide support to the Special Representative, including financial support, in promoting the further implementation of the recommendations of the study and for the effective and independent performance of her mandate, while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned and invites the private sector to provide voluntary contributions for that purpose;

"Promoting and protecting the rights of children, including children in particularly difficult situations

"14. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations, to implement programmes and measures that provide them with special protection and assistance, including, inter alia, access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied,

and to ensure that the best interests of the child are accorded primary consideration;

"Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

"15. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

"Prevention and eradication of the sale of children, child prostitution and child pornography

"16. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of sale of children, including for the purposes of transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of the eradication of those practices, and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

"17. *Welcomes* the adoption of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which is the outcome document of the Third World Congress against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, Brazil, in November 2008;

"18. *Calls upon* all States to take necessary legislative or other measures in cooperation with relevant stakeholders to ensure that child pornography and child sexual abuse images on the Internet are reported and removed and that access to such websites is blocked when they cannot be removed;

"Children affected by armed conflict

"19. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, and condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges those parties to armed conflict that are engaged, in contravention of applicable international law, in recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as all other violations and abuses against children, to develop concrete and time-bound measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to all violations and abuses committed against children in situations of armed conflict;

"20. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

"21. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 and the adoption of Security Council resolution 1882 (2009) on 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with these resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, and requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

"Child labour

"22. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development and to eliminate immediately the worst forms of child labour;

"23. *Takes note with appreciation* of the United Nations Education, Scientific and Cultural Organization *Education for All Global Monitoring Report* of 2009, which emphasizes the need to increase the quality of education as a way to attract and keep children in school as a tool in the prevention and elimination of child labour, and calls upon all States to take fully into account the action plan entitled 'The end of child labour: within reach', which was adopted unanimously by the International Labour Conference in 2006, in their national efforts to tackle child labour and to monitor progress towards meeting the target of eliminating the worst forms of child labour by 2016;

"III. The right of the child to express his or her views freely in all matters affecting him or her

"24. *Recognizes* that the child who is capable of forming his or her own views should be assured the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with his or her age and maturity;

"25. *Reaffirms* that the general principle of participation forms part of the framework for the interpretation and implementation of all other rights incorporated in the Convention of the Rights of the Child;

"26. *Also reaffirms* the international agreement on the 2015 target date for achieving universal primary education in all countries, and emphasizes that literacy and universal access to free and compulsory primary education of a good quality for all children is a key element in promoting the right of the child to express his or her views freely in all matters affecting him or her, and encourages international cooperation in this regard, including regional cooperation as well as South-South cooperation;

"27. *Recognizes* that, in the exercise by the child of his or her right to be heard, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

"28. *Also recognizes* the key role that can be played by schools, and in this regard encourages States to ensure the institutionalization of children's participation and encourage the active consultation with children and the consideration of their views on relevant matters related to schools;

"29. *Further recognizes* the role that can be played by the private sector, including the media, in promoting the participation and active consultation of children in issues affecting them, taking into account the best interests of the child;

"30. *Recognizes* that the free engagement of children in extra-curricular activities, such as cultural, artistic, recreational, leisure, ecological and sports activities at the local and national levels, could develop the ability of children to express their views;

"31. *Expresses deep concern* that, despite the recognition of children as rights holders entitled to express their views freely in all matters affecting them, those views being given due weight in accordance with the age and maturity of the child, children are seldom seriously consulted and involved in such matters and that the full implementation of this right in many parts of the world has yet to be fully realized;

"32. *Recognizes* that the achievement of the right of the child to express his or her own views and to participate requires adults to adopt a child-centred attitude, listening to children and respecting their rights and individual points of view;

"33. *Calls upon* all States to:

"(a) Ensure that children are given the opportunity to express their views freely on all matters affecting them, including within family settings, in school and in their communities, and that due weight is given to those views once expressed, without discrimination on any grounds by, as appropriate, adopting and/or continuing to implement regulations and arrangements that are

firmly anchored in laws and institutional codes and that are regularly evaluated with regard to their effectiveness;

"(b) Ensure that funding for child participation is considered in resource allocation and that policies and programmes to facilitate their participation are institutionalized and fully implemented;

"(c) Address all the root causes impeding children from exercising their right to be heard and to be consulted on issues affecting them and to raise awareness on the importance of child participation in a democratic society that respects the best interests of the child;

"(d) Designate, establish or strengthen relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children, which should also have mechanisms in place for allowing and promoting the involvement and participation of children in the formulation and implementation of public policies, and ensure adequate and systematic training in the rights of the child for professional groups working with and for children;

"(e) Involve children in the planning, design, implementation and evaluation of national plans of action that relate to the rights of the child, in recognition of the role of the child as a core stakeholder in the process according to his or her own age, maturity and evolving capacities;

"(f) Encourage and enable children affected by natural and man-made disasters and complex emergencies, in particular adolescents, to participate in analysing their situations and future prospects in both post-emergency reconstruction processes and post-conflict resolution processes, while ensuring that such participation is in accordance with their age, maturity and evolving capacities and is consistent with the best interests of the child and recognizing that appropriate care needs to be taken to protect children from exposure to situations that are likely to be traumatic or harmful;

"(g) Develop policies and effective mechanisms at the local and national levels to enable children to express their views and participate safely and meaningfully in the monitoring and reporting processes related to the implementation of the Convention on the Rights of the Child;

"(h) Develop and implement policies and programmes to promote the creation by public authorities, parents, guardians, other caregivers and other adults working with or for children of an environment based on trust, information sharing, the capacity to listen and sound guidance that is conducive to the equal participation of children, including in decision-making processes;

"(i) Partner with civil society organizations, including child- and youth-led organizations as well as the private sector and the media, in order to raise awareness about the benefits of child participation in society, and to inform children, parents, guardians, other caregivers and the general public about the rights of the child while being attentive to their influence on children and children's protection;

"(j) Take all appropriate measures to promote the active involvement of parents, professionals and relevant authorities in the creation of opportunities

for children to exercise their rights within their everyday activities in all relevant settings, including by providing training in the necessary skills;

"(k) Provide support to children and young people to enable them to form and register their own associations and other child- and youth-led initiatives, in conformity with national and international law, and ensure their full participation in the development of policies designed to meet national children and youth goals and targets;

"(l) Ensure the equal participation of girls and young women on the basis of non-discrimination and as partners with boys and young men in the development of strategies and the implementation of action aimed at achieving gender equality, development and peace;

"(m) Provide support to girls, if needed, to voice their views and for their views to be given due weight, and adopt measures to eliminate gender stereotypes that undermine and place severe limitations on girls in the enjoyment of this right;

"(n) Take measures to ensure the exercise of the right to expression of views for children belonging to minorities and/or vulnerable groups, including migrant children, and indigenous children within their cultural values or ethnic identities;

"(o) Adopt measures, including providing or promoting the use of accessible means, modes and formats of communication, to facilitate the expression of views by children with disabilities;

"(p) Ensure that, while taking the necessary measures to prevent and punish the wrongful removal of children who are subjected to enforced disappearance, children whose father, mother or legal guardian is subjected to enforced disappearance and children born during the captivity of a mother subjected to enforced disappearance, and while cooperating and assisting in the search for the identification of children who have been victims of such practices and returning them to their families of origin, in accordance with legal procedures and applicable international agreements, the best interests of the child shall be a primary consideration and that a child who is capable of forming his or her own views shall have the right to express those views freely, the views of the child being given due weight in accordance with the age and maturity of the child;

"(q) Ensure that child-sensitive procedures are made available to children and their representatives so that children have access to means of facilitating effective remedies for any breaches of any of their rights arising from the Convention on the Rights of the Child through independent advice, advocacy and complaint procedures, including justice mechanisms, and that their views are heard when they are involved or their interests are concerned in judicial or administrative procedures;

"(r) Support the mainstreaming of children's participation and their safe and meaningful involvement in United Nations processes that are related to the promotion and protection of the rights of the child;

"(s) Support children's participation in initiatives to prevent and respond to violence against children, including in the work of the Special Representative of the Secretary-General on Violence against Children;

"(t) Establish and/or enhance, in collaboration with children, families, civil society and other relevant actors, a safe, meaningful and child-friendly environment for the appropriate, relevant, informed and voluntary participation of children in decision-making processes and minimize the risk to children of violence, exploitation or any other negative consequence of their participation, taking into account their preferred mediums of expression, age, maturity and evolving capacities;

"(u) Take measures to guarantee the participation of children in the design and implementation of preventive and comprehensive anti-bullying policies;

"IV. Follow-up

"34. *Decides*:

"(a) To request the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution;

"(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

"(c) To request the Special Representative of the Secretary-General on Violence against Children to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

"(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

"(e) To invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fifth session as a way to enhance communication between the Assembly and the Committee;

"(f) To invite all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe the twentieth anniversary of the adoption of the Convention on the Rights of the Child;

"(g) To continue its consideration of the question at its sixty-fifth session under the item entitled 'Promotion and protection of the rights of

children', focusing section III of the resolution on the rights of the child on [next year's theme]."

13. Subsequently, Azerbaijan, Belarus, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Kenya, Kyrgyzstan, Liberia, Madagascar, Malawi, Mongolia, Mozambique, Namibia, the Niger, Nigeria, Norway, the Republic of Korea, Rwanda, Senegal, Sierra Leone, the former Yugoslav Republic of Macedonia, Timor-Leste and Ukraine joined in sponsoring the draft resolution.

14. At its 45th meeting, on 20 November, the Committee had before it a revised draft resolution entitled "Rights of the child" (A/C.3/64/L.21/Rev.1) submitted by the sponsors of A/C.3/64/L.21 as well as Algeria, Angola, Benin, Burkina Faso, Burundi, Canada, Egypt, El Salvador, Fiji, Gabon, the Gambia, Guinea, Kazakhstan, Lebanon, Lesotho, Maldives, Mali, Morocco, New Zealand, the Philippines, Sri Lanka, Seychelles, Swaziland, Switzerland, Tajikistan, Togo, Turkmenistan, the United Republic of Tanzania and Zimbabwe.

15. Subsequently, Bangladesh, the Central African Republic, the Comoros, Guinea-Bissau, the Republic of Korea, the Russian Federation, Uganda and Vanuatu joined in sponsoring the draft resolution.

16. At the same meeting, the Committee adopted draft resolution A/C.3/64/L.21/Rev.1 (see para. 19, draft resolution II).

17. Following the adoption of the draft resolution, statements were made by the representatives of the Syrian Arab Republic and the United States of America.

C. Draft decision proposed by the Chairman

18. At its 47th meeting, on 24 November, on the proposal of the Chairperson, the Committee decided to recommend to the General Assembly that it take note of the report of the Secretary-General on the girl child (A/64/315) and the note by the Secretariat on the appointment of the Special Representative of the Secretary-General on Violence against Children (A/64/182-E/2009/110) (see para. 20, draft decision).

III. Recommendations of the Third Committee

19. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
The girl child

The General Assembly,

Recalling its resolution 62/140 of 18 December 2007 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto,[3]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities and its specific attention to the fact that women and girls with disabilities are subject to multiple discrimination, including in education and schooling,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,[4]

Recalling the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Reaffirming the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[6] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[7] and the Political Declaration on HIV/AIDS of 2006,[8]

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[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vol. 1249, No. 20378.
[3] Ibid., vols. 2171 and 2173, No. 27531, and ibid., vol. 2131, No. 20378.
[4] See resolution 60/1.
[5] Resolution 1763 A (XVII).
[6] Resolution S-27/2, annex.
[7] Resolution S-26/2, annex.
[8] Resolution 60/262, annex.

Reaffirming also all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] the Programme of Action of the International Conference on Population and Development,[12] the Programme of Action of the World Summit for Social Development[13] and the declaration adopted by the Commission on the Status of Women at its forty-ninth session in 2005,[14] as well as the agreed conclusions of the fifty-first session of the Commission on the Status of Women, which considered "the elimination of all forms of discrimination and violence against the girl child" as its priority theme,

Looking forward to the fifteen-year review of the implementation of the Beijing Platform for Action and of the outcomes of the twenty-third special session of the General Assembly, entitled, "Women 2000: Gender equality, development and peace for the twenty-first century",[15] and emphasizing the importance of the sharing of experiences and good practices, with a view to overcoming remaining obstacles and new challenges, including those related to the Millennium Development Goals, which will take place during the upcoming fifty-fourth session of the Commission on the Status of Women in 2010,

Reaffirming the Dakar Framework for Action, adopted at the World Education Forum in 2000,[16]

Welcoming the appointment of the Special Representative of the Secretary-General on violence against children, the creation of the new post of Special Representative of the Secretary-General on sexual violence in armed conflict and the launch of the Secretary-General's campaign "UNiTE to End Violence against Women, 2008-2015",

Recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the global financial and economic crisis, the energy crisis, the food crisis and the continuing food insecurity as a result of various factors is felt directly by households, especially those depending on income from the informal sector, particularly by women and girls,

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[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[14] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A, see also Economic and Social Council decision 2005/232.

[15] Resolution S-23/2, annex, and resolution S-23/3, annex.

[16] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

Recognizing also that girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence, which continue to hinder efforts towards the achievement of the Millennium Development Goals, and reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing further that progress has been made in the passage of national legislation that affirms the equality of girls and boys and that corresponding measures have not been taken to effectively implement such legislation, and further recognizing the continuing existence of discrimination against girls and women throughout the world and that addressing this situation will require additional efforts to strengthen policy implementation, including through international cooperation,

Recognizing that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular about phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, child and forced marriage, rape and domestic violence, and, in addition, about the corresponding lack of accountability and impunity, which reflect discriminatory norms reinforcing the lower status of girls in society,

Deeply concerned also about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, and quality thereof, nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, child and forced marriages, prenatal sex selection and female genital mutilation,

Deeply concerned further that female genital mutilation violates and impairs the full enjoyment of the human rights of women and girls and that it is an irreparable and irreversible harmful practice that affects between 100 and 140 million women and girls alive today, and that each year over three million girls are at risk of undergoing the harmful procedure,

Deeply concerned that the goal set out in "A world fit for children" of ending female genital mutilation by 2010 will go unmet,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted infections and diseases, including HIV and AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

Concerned by the increasing number of child-headed households, in particular those headed by orphaned girls, including those orphaned by the HIV and AIDS pandemic,

Deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

Recognizing that early childbearing continues to be an impediment to the improvement of the educational and social status of girls in all parts of the world and that, overall, child and forced marriages and early motherhood can severely curtail their educational opportunities and are likely to have a long-term, adverse impact on their employment opportunities and on their, and their children's, quality of life,

Noting with concern that in some areas of the world men outnumber women as a result, in part, of harmful attitudes and practices, such as female genital mutilation, son preference, which results in female infanticide and prenatal sex selection, early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse and discrimination against girls in food allocation and in other practices related to health and well-being, resulting in fewer girls than boys surviving into adulthood,

Taking note with appreciation of the adoption of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which is the outcome document of the Third World Congress against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, in November 2008,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing, ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women[2] and the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto[3] as a matter of priority;

2. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization to consider doing so;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in

order to achieve the goals of the World Education Forum,[16] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All Goals and the United Nations Millennium Development Goals, particularly those related to gender and education;

4. *Calls upon* all States to place enhanced emphasis on quality education for the girl child, including catch-up and literacy education for those who did not receive formal education, to promote access to skills and entrepreneurial training for young women and to tackle male and female stereotypes in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment and decent work;

5. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

6. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action[10] with a life cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

7. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives, and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration[9] and Platform for Action;

8. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[17] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

9. *Urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and, where applicable, to remain dedicated to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;[18]

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[17] Resolution S-23/3, annex.

[18] United Nations, *Treaty Series*, vol. 2131, No. 20378.

10. *Also urges* States to fulfil the pledges they made at the Fourth World Conference on Women and the twenty-third special session of the General Assembly to modify or abolish remaining laws that discriminate against women and girls;

11. *Further urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

12. *Urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

13. *Calls upon* States to take all necessary measures to ensure the right of girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems and social services;

14. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

15. *Calls upon* States to take appropriate measures to address the root factors of child and forced marriages, including by undertaking educational activities to raise awareness regarding the negative aspects of such practices, and to strengthen existing legislation and policies with a view to providing better promotion and protection of the rights of the child, in particular the girl child;

16. *Urges* all States to enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary and to develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls, including the inclusion of such plans as an integral part of her total development process;

17. *Calls upon* States with the support of international organizations and civil society, including non-governmental organizations, to generate social support

for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

18. *Also calls upon* States with the support of international organizations, civil society and non-governmental organizations, as appropriate, to develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in child and forced marriages;

19. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour, forced marriage, as well as marriage under legal age and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

20. *Urges* States to complement punitive measures with educational activities designed to promote a process of consensus towards the abandonment of harmful practices such as female genital mutilation and to provide appropriate services for those affected by the practice;

21. *Calls upon* all States to enact and enforce necessary legislative or other measures in cooperation with relevant stakeholders to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of this material and that its creators, distributors and collectors are prosecuted as appropriate;

22. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, of the Secretary-General in his in-depth study on all forms of violence against women[19] and of the independent expert in his study on violence against children;[20]

23. *Also urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

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[19] A/61/122/Add.1 and Corr.1.

[20] A/61/299 and A/62/209.

24. *Further urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

25. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV and AIDS, and children who are incarcerated who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

26. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

27. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict, and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

28. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

29. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted

in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[21]

30. *Calls upon* Member States to devise, enforce and strengthen effective child and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including through taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support;

31. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

32. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

33. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

34. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with or affected by HIV, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

35. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development,

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[21] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

36. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV and AIDS and other communicable diseases;

37. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV infection and early pregnancy and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

38. *Stresses* the need to strengthen the commitment of States and the United Nations system in their responsibility to mainstream the promotion and protection of the rights of the child, in particular the girl child, in the development agenda at the national and international level;

39. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes, such as the United Nations Population Fund-United Nations Children's Fund joint programme on accelerating the abandonment of female genital mutilation, and sensitization workshops on the dire consequences of this harmful practice for the health of the girl and to provide for those who perform the harmful procedure training programmes so that they may adopt an alternative profession;

40. *Welcomes* the commitment of ten United Nations agencies in their joint statement of 27 February 2008 to continue working towards the elimination of female genital mutilation, by, inter alia, providing technical and financial assistance, and stresses that a common coordinated approach that promotes positive social change at community, national and international levels could lead to female genital mutilation being abandoned within a generation, with some of the main achievements obtained by 2015, in line with the Millennium Development Goals;

41. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

42. *Calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that

all the internationally agreed development and poverty eradication goals, including those set out in the Millennium Declaration, are realized within their time framework, and reaffirming that investments in children, particularly girls, and the realization of their rights, are among the most effective ways to eradicate poverty;

43. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including an emphasis on ending child and forced marriages, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

Draft resolution II
Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child, the most recent of which is resolution 63/241 of 24 December 2008, in their entirety,

Emphasizing that the Convention on the Rights of the Child[1] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[2] as well as other human rights instruments,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action,[3] the United Nations Millennium Declaration[4] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[5] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[6] the Dakar Framework for Action adopted at the World Education Forum,[7] the Declaration on Social Progress and Development,[8] the Universal Declaration on the Eradication of Hunger and Malnutrition,[9] the Declaration on the Right to Development[10] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[11]

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 63/241,[13] as well as the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[14] whose recommendations should be carefully studied, taking fully into account the views of Member States,

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[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 55/2.
[5] Resolution S-27/2, annex.
[6] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.
[7] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).
[8] See resolution 2542 (XXIV).
[9] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.
[10] Resolution 41/128, annex.
[11] See resolution 62/88.
[12] A/64/285.
[13] A/64/172
[14] A/64/254.

and taking note of the report of the Secretary-General on children and armed conflict,[15]

Acknowledging the important role played by national governmental structures for children, including, where existing, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socio-economic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Commemorates* the twentieth anniversary of the adoption of the Convention on the Rights of the Child[1] and the fiftieth anniversary of the adoption of the Declaration of the Rights of the Child,[16] which provided a foundation for the Convention, and takes this opportunity to call for the effective implementation of the Convention by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

2. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child and the Optional Protocols thereto[2] as a matter of priority and to implement them fully;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and

[15] A/63/785-S/2009/158 and Corr.1.

[16] See resolution 1386 (XIV).

to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[3]

4. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take duly into account the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 12 (2009), "The right of the child to be heard";[17]

5. *Welcomes* actions of the Committee on the Rights of the Child to monitor the implementation by State parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and, in this regard, particularly underlines the regional workshops and the participation of the Committee in national-level initiatives;

6. *Recalls* Human Rights Council resolution 10/14 of 26 March 2009, entitled "Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto";[18]

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

Registration, family relations and adoption or other forms of alternative care

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in the cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the accomplishment of the Guidelines for the Alternative Care of Children and the decision of the Human Rights Council, by its resolution 11/7 of 17 June 2009,[19] to submit them to the General Assembly for action thereon;

Economic and social well-being of children, eradication of poverty, right to education, enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of General Assembly resolution 63/241, paragraphs 42 to 52 of Assembly resolution 61/146 on the theme of children and poverty, and paragraphs 37 to 42 of Assembly resolution 60/231 on the theme of

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[17] CRC/C/GC/12, 20 July 2009.

[18] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53), chap. II.A.

[19] Ibid., chap. I.

children infected with and affected by HIV/AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments in the field of poverty eradication, the right to education, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV/AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and to an adequate standard of living, including housing and clothing;

11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to this crisis, any impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

13. *Welcomes* the appointment of the Special Representative of the Secretary-General on Violence against Children, and encourages all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to cooperate with and provide support, including financial support, to the Special Representative for the effective and independent performance of her mandate, as set out in General Assembly resolution 62/141, and in promoting the further implementation of the recommendations of the United Nations study on violence against children,[20] while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned and, invites the private sector, to provide voluntary contributions for that purpose;

Promoting and protecting the rights of children, including children in particularly difficult situations

14. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including, inter alia, access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded a primary consideration;

[20] See A/61/299 and A/62/209.

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

15. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

16. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of sale of children, including for the purposes of transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of the eradication of those practices, and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

17. *Welcomes* the World Congress III against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, in November 2008, and the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents;

18. *Calls upon* all States to enact and enforce necessary legislative or other measures in cooperation with relevant stakeholders to prevent the distribution over the Internet of child pornography and including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

Children affected by armed conflict

19. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, and condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;[21]

[21] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

20. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and notes also the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

21. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 and the adoption of Security Council resolution 1882 (2009) on 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with these resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, and requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

22. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour,[22] and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development and to eliminate immediately the worst forms of child labour;

23. *Takes note with appreciation* of the United Nations Educational, Scientific and Cultural Organization *Education for All Global Monitoring Report* of 2009, which emphasizes the need to increase the quality of education as a way to attract and keep children in school as a tool in the prevention and elimination of child labour, and calls upon all States to take fully into account the report of the International Labour Organization entitled "The end of child labour: within reach" and the global action plan endorsed by the Governing Body of the International Labour Organization in 2006 in their national efforts to tackle child labour and to monitor progress towards meeting the target of eliminating the worst forms of child labour by 2016;

III

The right of the child to express his or her views freely in all matters affecting him or her

24. *Recognizes* that the child who is capable of forming his or her own views should be assured the right to express those views freely in all matters affecting him

[22] As defined by the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization.

or her, the views of the child being given due weight in accordance with his or her age and maturity, referred to in the present resolution as "the right to be heard";[23]

25. *Reaffirms* that the general principle of participation forms part of the framework for the interpretation and implementation of all other rights incorporated in the Convention on the Rights of the Child;

26. *Recognizes* that, in the exercise by the child of his or her right to be heard, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community, as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

27. *Reaffirms* the international agreement on the 2015 target date for achieving universal primary education in all countries, emphasizes, in recognizing the impact and interlinkage of poverty and education on the full enjoyment by children of the right to be heard and to participate, that literacy and universal access to free and compulsory primary education of a good quality for all children is a key element in promoting the right of the child to be heard, and encourages international cooperation in this regard, including regional cooperation as well as South-South cooperation;

28. *Recognizes* that the free engagement of children in extracurricular activities, such as cultural, artistic, recreational, leisure, ecological and sports activities at the local and national levels, could develop the ability of children to express their views;

29. *Also recognizes* the key role that can be played by educational institutions and community-based organizations and projects, as well as by different local and national institutions, such as children's organizations and parliaments, in assuring the meaningful participation of children, and in this regard encourages States to ensure the institutionalization of children's participation and encourage the active consultation of children and the consideration of their views in all matters affecting them, in accordance with their age and maturity and evolving capacities;

30. *Further recognizes* the role that can be played by the private sector, including the media, in promoting the participation and active consultation of children in issues affecting them, and stresses the importance of these actors taking into account the best interests of the child;

31. *Expresses deep concern* that, despite the recognition of children as rights holders entitled to be heard on all matters affecting them, children are seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right in many parts of the world has yet to be fully realized;

32. *Recognizes* that the full enjoyment of the right of the child to be heard and to participate requires adults to adopt an appropriate child-centred attitude, listening to children and respecting their rights and individual points of view;

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[23] As used in the present resolution "the right to be heard" refers to the right laid down in article 12.1 of the Convention on the Rights of the Child.

33. *Calls upon* all States to:

(a) Assure that children are given the opportunity to be heard on all matters affecting them, without discrimination on any grounds, by adopting and/or continuing to implement regulations and arrangements that provide for and encourage, as appropriate, children's participation in all settings, including within the family, in school and in their communities, and that are firmly anchored in laws and institutional codes and that are regularly evaluated with regard to their effectiveness;

(b) Designate, establish or strengthen relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children, have mechanisms in place for allowing and promoting the involvement and participation of children in the formulation and implementation of public policies, in particular those designed to meet national children and adolescent goals and targets, and ensure adequate and systematic training in the rights of the child for professional groups working with and for children;

(c) Involve children, as appropriate, in the planning, design, implementation and evaluation of the national plans of action set out in "A world fit for children" that relate to the rights of the child, in recognition of the role of the child as a core stakeholder in the process;

(d) Develop policies and effective mechanisms at the local and national levels to enable children to be heard and participate safely and meaningfully in the monitoring and reporting processes related to the implementation of the Convention on the Rights of the Child;

(e) Provide support to children and adolescents to enable them to form and register their own associations and other child- and adolescent-led initiatives, in conformity with national and international law;

(f) Ensure that funding for child participation is considered in resource allocation and that policies and programmes to facilitate children's participation are institutionalized and fully implemented;

(g) Ensure the equal participation of girls, including adolescents, on the basis of non-discrimination and in partnership with boys, including adolescents, in the development of strategies and implementation of action aimed at achieving gender equality, development, non-violence and peace;

(h) Support the integration, in a systematic manner, of children's participation and their safe and meaningful involvement in United Nations activities and processes that are related to the promotion and protection of the rights of the child;

(i) Support children's participation in initiatives to prevent and respond to violence against children, including in the work of the Special Representative of the Secretary-General on Violence against Children;

(j) Take measures to support the participation of children in the design and implementation of preventive and comprehensive anti-bullying policies;

(k) Address all the root causes impeding children from exercising their right to be heard and to be consulted on matters affecting them; inform children, parents,

guardians, other caregivers and the general public about the rights of the child; and raise awareness of the importance and benefits of child participation in society, including through partnerships with civil society, the private sector and the media while being attentive to their influence on children;

(l) Take appropriate measures to ensure the full realization of the right to education on the basis of equal opportunity for every child, including by providing accessible, free and compulsory primary education directed to the development of the child's personality, talents and abilities to their fullest potential, in recognition of the importance of education to civic engagement by children and to their full enjoyment of the right to be heard and to participate in all matters affecting them;

(m) Develop and implement policies and programmes to promote the creation by public authorities, parents, guardians, other caregivers and other adults working with or for children of a safe and enabling environment based on trust, information-sharing, the capacity to listen and sound guidance that is conducive to the informed and voluntary participation of children, including in decision-making processes;

(n) Take all appropriate measures to promote the active involvement of parents, professionals and relevant authorities in the creation of opportunities for children to exercise their rights to be heard within their everyday activities in all relevant settings, including by providing training in the necessary skills;

(o) Provide support to girls, including adolescents, if needed, to voice their views and for their views to be given due weight, and adopt measures to eliminate gender stereotypes that undermine and place severe limitations on girls in the enjoyment of their right to be heard;

(p) Ensure that child-sensitive procedures are made available to children and their representatives so that children have access to means of facilitating effective remedies for any breaches of any of their rights arising from the Convention on the Rights of the Child through independent advice, advocacy and complaint procedures, including justice mechanisms, and that their views are heard when they are involved or their interests are concerned in judicial or administrative procedures in a manner consistent with the procedural rules of national law;

(q) Ensure that, while taking the necessary measures to prevent and punish the wrongful removal of children who are subjected to enforced disappearance, of children whose father, mother or legal guardian is subjected to enforced disappearance or of children born during the captivity of a mother subjected to enforced disappearance, in accordance with legal procedures and applicable international agreements, the right of the child to be heard is respected and that the best interests of the child shall be a primary consideration;

(r) Encourage and enable children affected by natural and man-made disasters and complex emergencies, in particular adolescents, to participate in analysing their situations and future prospects in crisis, post-crisis and transition processes, while ensuring that such participation is in accordance with their age, maturity and evolving capacities and is consistent with the best interests of the child and recognizing that appropriate care needs to be taken to protect children from exposure to situations that are likely to be traumatic or harmful;

(s) Take measures to ensure the enjoyment of the right to be heard by children belonging to minorities and/or vulnerable groups, including migrant children and indigenous children within their cultural values or ethnic identities;

(t) Adopt measures, including providing or promoting the use of accessible means, modes and formats of communication, to facilitate the enjoyment of the right to be heard by children with disabilities;

IV
Follow-up

34. *Decides* to:

(a) Request the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on implementing child rights in early childhood;

(b) Request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) Request the Special Representative of the Secretary-General on Violence against Children to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(d) Request the Special Rapporteur on the sale of children, child prostitution and child pornography to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(e) Invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fifth session as a way to enhance communication between the Assembly and the Committee;

(f) Invite all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe the twentieth anniversary of the adoption of the Convention on the Rights of the Child;

(g) Continue its consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on implementing child rights in early childhood.

20. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Reports considered by the General Assembly in connection with the promotion and protection of the rights of children

The General Assembly decides to take note of the following reports submitted under the item entitled "Promotion and protection of the rights of children":

(a) Report of the Secretary-General on the girl child;[1]

(b) Note by the Secretariat on the appointment of the Special Representative of the Secretary-General on Violence against Children.[2]

[1] A/64/315.

[2] A/64/182-E/2009/110.